

Lisa –

Please review the following points several times before your deposition. Please try not to expound on these points, using the “I do not recall, or to the best of my recollection” as part of your answers.

You do not have to remember everything in detail and can just refer to your conversations with people involved as brief and “matter of fact”. Make the answers very brief, do not expound and make sure you do not listen to their comments and feel the need to answer. Make them ask a very specific and simple question before you answer. Also, in civil discovery (depositions) and trial, you can legally claim the 5th amendment FOR EVERY ANSWER, ALL DAY. So even if your attorney asks you to answer, you can refuse, claiming the 5th amendment. As your attorney has already filed answers in which you admitted creating and sending the document, the Spence law firm is trying to prove that these answers are not true. The jeopardy there, is a change in those answers or the interrogatory answers will be perceived by your attorney that you have lied to him and he will simply say he cannot represent you and stand up and leave, even in the middle of the deposition, so your best preparation is to read the answers provided to your attorney and the information below and continually answer the barrage of questions based upon the facts listed.

Remember they have no electronic media, texts or emails and despite them indicating they “know differently” they DO NOT KNOW DIFFERENTLY, or else they would have already named Schneider in the lawsuit. Ask your attorney to object if they ever say they know you are not telling the truth by asking to review their evidence right now. Remember everything anyone ever says is hear say and your version of the truth if consistently delivered IS THE TRUTH. Don’t let them convince you of anything else.

Spence firm Hand and Fleck will do everything they can to intimidate as well as befriend you with one common goal – to show this flier creation and distribution was a conspiracy directed by Dr Schneider and Michelle to slander Biles. As we have discussed, if you are able to withstand the heat of deposition and ‘take a bullet’, regardless of final economic damages in favor of Biles in any type of judgment, you will be taken care of far in excess of any paycheck. The amount he will get will be negligible and have no impact on your life.

They will threaten you will jail time for perjury, years of debt to Biles, the inability to file bankruptcy for protection, loss of your licensure, etc, etc. Don’t change your answers or be confused when they ask the same questions over and over. All of that is bullshit so assume these are all worthless threats. They expect you will have a “change of heart” when they tell you these things. The truth is what you say it is, NOT what they believe. You are the only one that knows your answers to be true, they will do everything they can to discredit your answers and imply you are protecting someone else, a co-conspirator in this processes. They will remind you again and again that you are “under oath”. People always assume the lawyers know more than they do and their game is to pretend that they know more and ask you

questions to “catch you in a lie”. They will obviously say many times, through various ways that “it is better for you to tell the truth about your co-conspirator”. Don’t believe any of it – they will not befriend you or help you in any way and as soon as they “turn you”, you will be treated like a prison Bitch. Please stay focused on the truths in the interrogatories and this primer. All other questions beyond what is covered here are vague recollections, influenced by your current medical condition of significant thyroid imbalance, frequent antibiotics for kidney and bladder infections and your overwhelming worry that you have cancer that they will discover when they do your surgery next month. They will ask you why you did not want to be deposed and simply tell them that this lawsuit or deposition does not even show up on your radar screen, with your worries are about your health and the care of your children if something happens to you. Please read, read and re-read these facts, as well as the interrogatory answers and use these to answer the questions they ask briefly and to the point. Offer nothing as explanation unless it is brief to answer a yes or no answer. Be a bitch, they are. Memorize and follow these simple principals:

a. Based upon past knowledge of Biles, when you received the spam email and looked at the sheriff’s website, you were very angry that an impaired physician can practice medicine and that this physician Biles has negatively impacted your life by interfering with other doctors practices in Cody over the last 15 years. You do not know why or how the email came to you, you did not answer it and you have had no communication with anyone at the web address.

b. You decided on your own accord to “let the community know about Biles”. You were not coerced, hired, paid or requested to do this. You believe it is the public’s right to know. You looked at the sheriff’s website a few times and copied the information and mug shot picture to your computer.

c. You created the flier in whatever word processing program you are used to using. The details of the criminal offense were based upon your reading the spam email on your face book. You spoke to no one about those details. You created the fictitious patient “Rita” just to get people’s attention to actually look at the website which is a public document. ANY MISINFORMATION PRESENT IN YOUR FLIER WOULD HAVE BEEN QUICKLY DISPELLED WHEN PEOPLE LOOKED AT THE WEBSITE AND GOT ACCURATE INFORMATION ON BILES OFFENSE.

d. You never discussed the details or provided the flier to any person for review prior to its mailing. You created it on your computer, saved it to the stick drive that had the mailing list that Dr Schneider mailed to you at your request (see interrogatory answers) and gave that to the printer. You have no other copies and you deleted the original file from your computer.

e. You spoke with Dr Schneider once or twice from work about Biles after you received the spam email. The details of the conversation are in the interrogatories. Dr Schneider did not ask you to create this flier, did not pay you to create this flier and you did not review the details of the flier with Dr Schneider before you sent the

flyer. To your knowledge, Dr Schneider knew only that you were thinking about sending out a note that said nothing more than "hey look at this website about Dr Biles". As per the interrogatories, Dr Schneider indicated that the sheriff's website is a public document and the public can be made aware of it. You know nothing more of the Schneider -Biles relationship, other than Dr Schneider said that he, like Dr Emery (ortho in Cody) and so many other doctors were the ongoing subjects of Dr Biles attacks. Your knowledge of Dr Biles from the past makes you mad that Biles can get away with this and that an impaired physician can practice medicine without discipline (it is a very good idea for you to talk about your current position in q/a in your current job and how impaired physicians are dealt with).

Reading through the last email from the Spence firm, they plan to demonstrate through your answers that you had no knowledge of Biles and therefore could not have generated the idea to develop the flier or had the motivation to do so and you must have been coerced, even by friendship with Michelle and Dr Schneider, to take these actions. This is where you can expound and be creative in your testimony attacking him as a drunk, posing danger to the community and patients, citing your uncle being killed by a drunk driver, etc. These create fundamental premises and motives that make you angry at Biles and motivated your desire to let the community know about Biles:

1. You have known of Biles reputation as a bully, philanderer and alcohol abuser based upon your conversations with Dr Celia Dacre and Dr Jerry Smith, both of whom are rehab doctors that saw your grandmother in the late 1990s and earlier 2000. You were with your Grandmother on several Doctors appointments in Cody with these doctors. They held clinics in their offices outside of the hospital, you do not recall where in Cody. Say that your Grandmother spent a significant amount of time with your mother in Belfry and Cody was the closest of medical care. Your grandmother was referred to Dr Dacre by Dr Schneider for pain management. First Dacre, then a few years later, Smith saw your grandmother for chronic low back pain. Both are not in practice and there are no medical records to be discovered. They were not in Cody together; Smith followed Dacre by a few years. Both were driven out of town by Biles. You do not recall the details of those few conversations but both were good doctors and you were mad at Biles from then as ongoing care for your grandmothers back pain was difficult and done by her PCP after that but never very well.

2. You further know of Biles through brief conversations you have had with acquaintances that you have met over the years that have lived or live in Cody, including Tamara Pederson and her friend Stacie Jensen. You do not recall when in the early 2000 you met Stacia, but you do recall her sharing her story (see the interrogatories) about Biles. You never met or talked with her again. The conversation was in Cody, after a kid's ballgame and you recall nothing else. When asked how you know these people, how often you have had contact, where did you talk with them, etc., simply say you know very little about them, Tamara's son and your oldest son played against each other on either soccer or baseball and you

spoke a few times in the early 2000. You spoke once to Tamara after you received the spam email on your face book inquiring about the Biles incident and heard it was common knowledge in the hospital as you know Tamara is a CNA and works in Cody. When asked about her – married, divorced, how many kids, etc just answer “I do not know”. When asked about single conversation you had after receiving the spam email say: the conversation was brief, you called her when you were in Billings last year on the phone number you had, included in the interrogatory answers. You have had no further conversations with her. You do not recall in the time course of these events when you spoke with her only that it was within a week or so after you received the spam email. You know nothing more about her. Her picture will be emailed to you so you can simply say that you recognize her face. Any other questions about her simply say you do not know .

3. You and Dr Schneider first met when Schneider saw your Grandmother a few times in Cody and Billings in 1997/ 1998. She never required surgery. Schneider kids were the same age and you developed a friendship with Michelle and the kids that exist today and Michelle is Sarah’s godmother. Your relationship with Dr Schneider was always more formal and clinical, early on asking about your grandmother, then Tom with autism and only a few friendly conversations over the last 8 years as you have moved on from Billings. Over the years you have had on going communication with Michelle, particularly with the difficulties you have had with Sarah’s pregnancy, etc. Michelle is a nurse and “supportive friend”.

AT NO TIME PRIOR TO THE FLIER BEING CREATED OR SINCE THE FLIER WAS MAILED OUT DID YOU EVER TALK TO MICHELLE ABOUT BILES, THE CREATION OR MAILING OF THE FLIER. AFTER YOU WERE NAMED IN THIS LAWSUIT, DR SCHNEIDER MADE IT CLEAR TO BOTH MICHELLE AND YOU LISA THAT YOU WERE NEVER TO DISCUSS ANY ASPECT OF THIS ACTION AND BOTH OF YOU HAVE RESPECTED THAT. Your conversations with Michelle are about kids, life and your own medical problems. AT NO TIME DID MICHELLE EVER INDICATE THAT JOHN AND BILES HAD ANY ISSUES AND WHEN YOU RECEIVED THE SPAM EMAIL, YOU SPOKE WITH JOHN, NOT MICHELLE, ABOUT BILES SINCE DR SCHNEIDER IS A PRACTICING PHYSICIAN IN CODY.

- They will grill you on the communication with Michelle about Biles, this incident or the lawsuit and you must continually answer no matter how often they ask that you never have discussed this AT ALL with Michelle, before or after the lawsuit.
- When asked about the Biles –Dr Schneider relationship, you know nothing more that is in the interrogatory answers and YOU DO NOT SEE OR UNDERSATND WHY BILES OR HIS LAWYERS WOULD THINK THAT DR SCHNEIDER WOULD BENEFIT FROM SAYING ANYTHING DEROGATORY OR SLANDEROUS ABOUT BILES.

4. They cannot prove that you did or did not receive a spam email. This will be impossible, no matter how many times they say that you are not telling the truth. It is fact that Tammy Jones and Collette Schwindt talk, email and Tammy told about

Biles to Collette. Collette's husband is a deputy sheriff and you need to know nothing more about them. You do not know them, you have never talked to them, and you assume that what was said in the email was true since you know they work in the medical field in Cody. You do not know how or why this email came to you on your face book. You recall nothing about the email other than what is in the interrogatory answers and you deleted the email from your face book as it had pornographic pictures attached as well as the link to the sheriff department website. You looked at the website about Biles DUI and this began your further inquiry about Biles, given your knowledge of him in the past. (Parenthetically, Collette sends a lot of pornographic pictures in emails that she gets from the sheriff's and firefighter's communications – not that you need to know that but it adds validity to the statement that you received a copy of the communication between Tammy and Colette). Ultimately Colette and Tammy will be deposed and these details and frequency of their conversations will support all of this.

5. The details of the flier were created based upon your desire to get people's attention to look at the sheriffs website as you believe this is the only way to get this physician Biles to go to rehab, stop drinking and stop being a threat to the community.

6. The money you used to pay for the printer was your money. You have received money and support from your mother, Michelle and other friends in order to help make ends meet. Specifically Dr Schneider and his wife Michelle have, since Sarah's birth assisted you economically and any moneys received in the past from Dr Schneider and Michelle (who uses Esparza frequently in her modeling career), were provided with the intention of helping pay for Sarah's medical bills, start a college fund or assist in needs of daily living as Michelle is Sarah's godmother and you know that Dr Schneider and Michelle are devote Catholics and take the responsibility of their goddaughter very seriously. It is ok to reveal that should anything happen to you, that Michelle would become Sarah's guardian.

a. they will ask when you received money last from Michelle or Dr Schneider and you are to answer earlier last year, you do not recall when but you recall the Schneider's requested the money be put into a college saving account. You recall it was around 8K sent to you by check or wire (you do not recall). You have already started a small account for Sarah's college and felt that since the money was yours, you would use it as you see fit. That there were never any stipulations on money you received to assist in Sarah's upbringing and you do not feel it is necessary to explain how and when you utilize your funds. You did not ask or tell Dr Schneider or Michelle whether it was OK to use any of the monies they had provided for Sarah to pay the printer for these mailings. You are not aware if Dr Schneider or Michelle even knows that some of the money they sent for Sarah was used in this mailing. They never asked and you have never disclosed that fact. You do not discuss your finances with Michelle or Dr Schneider and they have never asked about your personal finances, only ever offered to help support Sarah as a Godparent.

b. You believe that money spent on paying the printer to create and mail the flyer was a worthy cause, just like contributing money to a politician – with no obvious benefit to you or anyone you know. People contribute money to a worthy cause all the time. Rich people did not put Obama in the white house. The poor and underprivileged did by giving whatever they could. When morally driven to a cause, no amount of money is too much.

c. Spence lawyers will go into your financials and ask how someone who lives paycheck to paycheck with the responsibility of a child and no assets would ever spend her own money on this flyer. KEEP REITERATING THAT BILES IS A PUBLIC THREAT AS A DRUNK AND IMPAIRED PHYSICIAN AND YOU BELIEVE IT IS YOUR MORAL AND ETHICAL DUTY TO MAKE THE COMMUNITY AWARE OF THIS, AS YOUR UNCLE WAS KILLED BY A DRUNK DRIVER.

d. You have received no money, nor has Sarah received money since last year, although you believe the Schneider's if asked would still contribute funds for Sarah's well being and upbringing.

7. Regarding the details of the Jones - Schwindt conversation in the email, you only recall what was in the interrogatory answers. You cannot recall whether all the details about Biles were in that email or from the few conversations with Dr Schneider after you received the spam. It was a long time ago and you have no record of the email or the details of the conversations, you only know that Dr Biles was drunk and that several of his past employees will testify to this.

a. Spence lawyers will ask you the details of the conversations in the interrogatories. Read the answers again and beyond that simply say you do not recall any further details and only recall these conversations occurred last year, were brief and you cannot separate the details you know about Biles from these different conversations. Confirm you spoke with Sherri Chacon Biles PAC who you reached at West Park Hospital at the end of one of your night shifts shortly after you received the spam email. You called from your hospital (none of the calls could be tracked since all of these institutions have 800 numbers and calls are made all over the country all the time) for what you believe was about a 15 minutes conversation. As in the interrogatories, you were told Biles was looking for a medical condition to blame for blacking out. You recall nothing more about the conversation. You do not know, these people, you could not identify these people; you don't recall the sounds of their voices.

1. The ONLY REASON you know these peoples detailed names, their positions or their phone numbers is because you had to find them out when you answered the interrogatory questions.

8. The details of Dr Schneider's involvement are in the interrogatory answers. Just as you had spoke with the other people listed in the interrogatories, you called me and asked of my knowledge about the Biles incident. Recall the interrogatory

answers and it is OK to have them in front of you and simply respond to their questions by reading your answers that way you do not have to develop anything more than is listed in the answers. YOU SHOULD FALL BACK ON THE FACT THAT YOU DO NOT FEEL WELL BECAUSE OF YOUR MEDICAL CONDITIONS THAT INCLUDE THYROID IMBALANCE AND YOU NEED YOUR ANSWERS IN FRONT OF YOU AS YOUR NOTES OF THE DETAILS OF THE PEOPLE YOU HAVE SPOKEN WITH AND THE TIMELINE SINCE YOU ARE HAVING A DIFFICULT TIME INDEPENDANTLY RECALLING THESE FACTS.

a. You want your attorney to present the signed answers into the record at the beginning of your deposition, simply to use them as the ongoing reference to their questions. The Spence lawyers do not have the option of not accepting them and your attorney should have already submitted these as factual. Everything in your answers during the deposition should reflect that the interrogatory answers are true. Even if Spence lawyers directly say to you that the answers are not true, THE BURDEON OF PROOF IS THEIRS and it will simply come down to your word against theirs and the people who would say it is not true, like Tammy Jones or Sherri Chacon. Since they work for Biles you can simply say they are lying to protect their jobs. SINCE YOU HAVE BEEN FORTHCOMING AND TAKEN RESPONSIBILITY FOR THE FLIER, your word and testimony carries much more weight as true over theirs!

b. State as indicated above that you did not discuss the specifics of the flyer with Dr Schneider or anyone prior to its creation or before it was sent and that Dr Schneider's response was a bit of surprise after Dr Schneider received the flier in the mail, remarking only on its creativity and that Dr Schneider was sure people would get on line and look at the Sheriffs web site, which would accurately detail the Biles DUI incident.

c. To your knowledge, Michelle has never seen the flier or the sheriff's web site as you have not discussed any of this with her.

d. There was one conversation with Dr Schneider when you were at the printer. Recall the interrogatory that Dr Schneider wanted to "know what you Lisa Fallon were doing" after Dr. Schneider sent you the mailing list and that you believe Dr. Schneider was warning you to be careful about anything regarding Biles, as he is very litigious and Dr Schneider commented that there is a story about Dr Biles suing his own mother. You have NO other details of any of the conversation, and all details are written in the interrogatories. They are your best recall of the timeline.

9. If you can take the position that you were not hired, solicited, influence, requested or coerced in any way for any reason to create and sent the flier and that as a matter of principal, you felt it was your moral and ethical duty to inform the community about an impaired physician based upon the many people over the years that he has had a direct negative impact on the lives of other good doctors and people in the

community and his behavior made it difficult for you to get good care for your grandmother and that your uncle was killed by a drunk driver and you have to deal with impaired physicians as part of the Q/A processes in your current job, that letting the community discover the truth about Biles, even if the details on the flier were exaggerated, was critical to protect the community from this impaired physician.

10 You have not kept track of all the people that have called you since the Cody paper named you in this lawsuit. You have been called by people saying they are from doctor's offices and the phone numbers you included in the interrogatories were what you wrote down as numbers to call to get more information about Biles.

11. All the answers in your interrogatories and in this deposition are true and to the best of your knowledge and the only assistance you have had in answering these questions is from your attorney and therefore protected. You have not reviewed any information or received any written or verbal direction when preparing your answers, except from your attorney. If they ask how you are paying for the attorney, you do not need to answer and therefore refuse the answer by saying that is between you and your attorney.